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## REMARKS

In the Office Action dated October 17, 2006, claims 24-29 were allowed, claims 30 and 32-24 were rejected under nonstatutory obviousness-type double patenting, and claims 31 and 35 were objected to, but indicated as allowable subject matter. Additionally, the specification was objected to.

In response, Applicant files herewith a terminal disclaimer to obviate the nonstatutory obviousness-type double patenting rejection.

The specification was objected to on the asserted basis of failing to comply with the written description requirement. Specifically, Examiner asserted that it was unclear how the first derivative of the square root cosine function is discontinuous when the first derivative of the raised cosine function is continuous. Examiner apparently relied upon the belief that "only the amplitude changes in the equations" (i.e. the equations for raised cosine on page 9 and for square root cosine on page 10). In response, Applicant respectfully notes that the statement "only the amplitude changes in the equations" is incorrect. Please note that the entire portion of the equation  $(1 - \sin[\dots])$  in the equation of page 10 is raised to the  $\frac{1}{2}$  power, whereas the corresponding portion in the equation of page 9 is not raised to any power. Therefore, it is not surprising, or unclear, why the first derivatives of these equations would exhibit different characteristics.

Furthermore, Applicant respectfully submits that neither the equation of page 9 nor the equation on page 10 is claimed in the present application or necessary to understand the claimed invention. Rather, as pointed out in the specification (see pages 9 and 10), the raised cosine filter and square root cosine filter are known in the art, and are discussed in the specification simply to

COM004-C1

Page 2 of 3

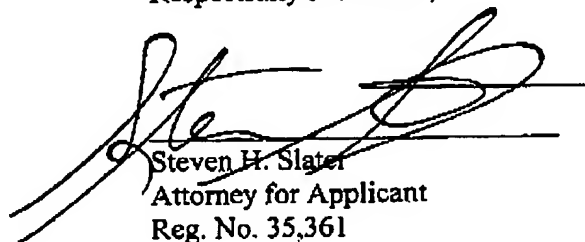
put the present invention in context and to point out shortcomings in the prior art. They are not necessary to understand the invention of pending claims 24-35.

Applicant thanks Examiner for the indication that claims 24-29 are allowed and 31 and 35 are allowable. Having obviated the obviousness-type double patenting rejection of claims 30 and 32-34 and having responded to the objection to the specification, Applicant believes the present application is now in condition for allowance. A prompt indication of same is earnestly requested.

Applicant has made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Steven H. Slater, Applicant's attorney, at 972-732-1001 so that such issues may be resolved as expeditiously as possible. Commissioner is hereby authorized to charge the Terminal Disclaimer fee to Deposit Account No. 50-1065 and any other fees believed due in connection with this filing.

Respectfully submitted,

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